

ARMY's

Equal Opportunity (EO) Program



Senior Leader Training



Terminal Learning Objective

Action	Enforce the Army's Equal Opportunity (EO) Program, the Prevention of Sexual Harassment (POSH) Policies, and Complaint Process
Conditions	In a classroom environment with access to real-life scenarios and student handouts
Standards	<p>Complete the lesson on the Army's Equal Opportunity (EO) Program Senior Leader Training and participate in an evaluative scenario demonstrating your ability to enforce the Army's Equal Opportunity Program and Prevention of Sexual Harassment Policies.</p> <ul style="list-style-type: none">A. Define the key components of the Equal Opportunity (EO) ProgramB. Define the key components of the Prevention of Sexual Harassment PolicyC. Identify the Equal Opportunity Program Building BlocksD. Determine the Commander's responsibilitiesE. Describe the Equal Opportunity (EO) and Prevention of Sexual Harassment complaint processF. Identify Sexual Assault and the Army's Sexual Assault Prevention and Response Program



Army Policy on Equal Opportunity

“The U.S. Army will provide equal opportunity and fair treatment for military personnel and family members without regard to race, color, gender, religion, or national origin, and provide an environment free of unlawful discrimination and offensive behavior.”

AR 600-20, Paragraph 6-2



The Army and Equal Opportunity

EO Supports:

- **Army Values**
- **Warrior Ethos**
- **Soldier's Creed**

Equal Opportunity

- Enhances the ability to work effectively as a team
- Shows respect for self and others
- Supports Army Values
- Supports mission readiness by impacting unit cohesion
- Strengthens the bond that makes Soldiers willing to die for one another
- Supports discipline

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Definitions

- Fair treatment
 - Based on merit, fitness, capability in support of readiness
- Unlawful discrimination
 - Unequal treatment based on race, color, gender, religion, or national origin
- Offensive behavior
 - Would *a reasonable person* be offended?
 - Not defined by the *intent of the offender*

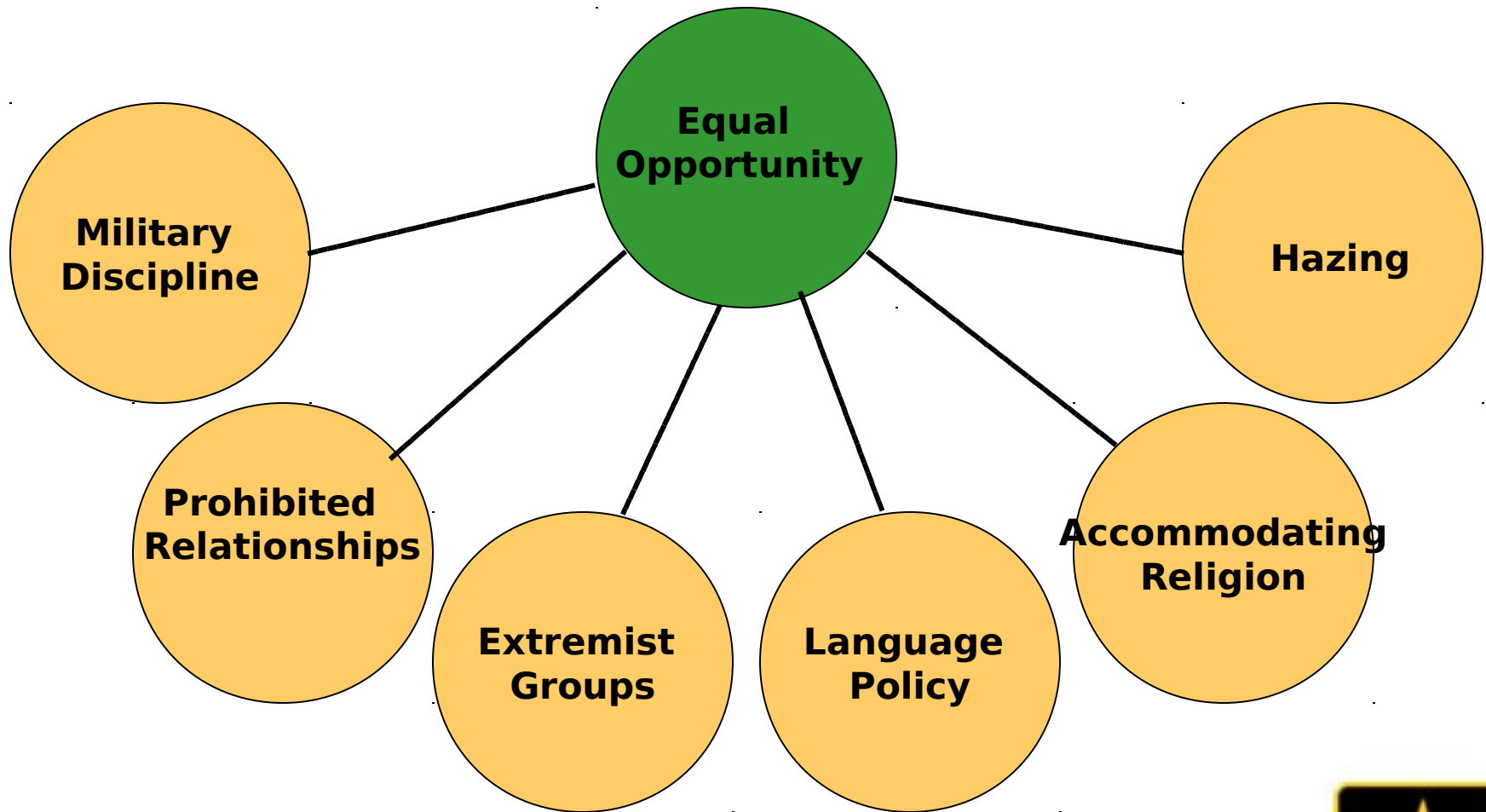


Four Violations of EO Policy

- Racism
- Sexism
- Prejudice
- Discrimination



Six Related Issues



Review: Army EO Program/Values

- **Five** unlawful discrimination categories: race, color, gender, religion, national origin
- EO upholds Army Values, Warrior Ethos, and the Soldier's Creed
- **Six** related issues are military discipline, prohibited relationships, extremist groups, language policy, accommodating religious practices, and hazing



Army Policy on Sexual Harassment

“...Sexual harassment is unacceptable conduct and **will not be tolerated**. Army **leadership at all levels** will be committed to creating and maintaining an environment conducive to maximum productivity and respect for human dignity. Sexual harassment **destroys teamwork** and negatively affects combat readiness. The Army bases its success on mission accomplishment. Successful mission accomplishment can be achieved only in an environment free of sexual harassment for all personnel. ”

AR 600-20, Paragraph 7-3

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Definition of Sexual Harassment

A form of **gender discrimination** that involves unwelcome sexual advances, favors, and other **verbal, nonverbal, or physical conduct of a sexual nature** when:

- Submission or rejection is made a term or condition of a person's job, pay, career
- Submission or rejection is used as a basis for career or employment decisions
- Conduct interferes with an individual's work performance
- Conduct creates an intimidating, hostile, or offensive work environment



Types of Sexual Harassment

- Quid Pro Quo – “this for that” (Latin)
 - Conditions placed on a person’s career in return for sexual favors
- Hostile environment
 - Soldiers or civilians subjected to offensive, unwanted, and unsolicited comments or behaviors of a sexual nature and these behaviors interfere with work performance



Sexual Harassment Checklist

1. Is the behavior sexual in nature?
2. Is the behavior unwelcome?
3. Have sexual favors been demanded, requested, or suggested?
4. Does the behavior create a hostile or offensive environment?
5. Would a reasonable person of your gender react the same way as you to this incident or behavior?



Review: Sexual Harassment Policy

- Sexual Harassment is a form of gender discrimination involving unwelcome sexual advances, favors, and conduct
- Sexual Harassment is not tolerated
- Two types of Sexual Harassment: Quid Pro Quo and Hostile Environment
- Three types of behaviors are associated with sexual harassment; verbal, nonverbal, and physical
- Checklist can assist Leaders and Soldiers in identifying sexual harassment in real life situations



Army's EO Initiative

- Embed Warrior Ethos, Army Values, Soldier's Creed
- Embed EO/HR training in all leadership training
- EOA
 - Two-year tour of duty at a minimum
 - EOA course reduced from 15 weeks to 10 weeks training course, pre-assignment
- EO Program Manager
 - Six-week training course
- Document EO Utilization and EO/HR training on QTB



EO Program Building Blocks

- Leader Commitment
- Training
- Complaint Process
- Army's EO Action Plan
- Feedback Mechanisms
- Staffing
- Ethnic and Special Observances



Leadership Commitment

- A Command program
- Army Values
- Positive, pro-active approach
- Policy statements posted
- Visible presence in EO training



Training

- Mandatory training
 - Command involvement and participation in unit EO/HR training
- Pre- and Post-Deployment
- Cultural awareness



Complaint Process

- Consistent, accessible to Soldiers
- Same process for both EO and POSH



EO Action Plan (EOAP)

- A leadership tool
- Correct structural imbalances and institutional discrimination
- Required at Brigade level and above
- Achievable steps
- Actions to monitor progress



Feedback Mechanisms

- Unit Climate Assessments
- Quarterly Narrative Statistics Report (QNSR)
- Annual Military Equal Opportunity Assessment (Army G-1 website)
- External Unit Reports
 - Staff Assistance Visits (SAVs)
 - Focus Groups
 - Surveys



Climate Assessments

- Purpose:
 - Get a picture of command member perceptions of the organization
 - Determine if unit climate is healthy
- Reasons to do:
 - Regulatory requirement (New Company Commander's Command Climate Survey)
 - Command directed
 - Driven by events
 - Staff Assistance Visit (SAV)
 - Monitoring EO actions



Assessment Tools and

Resources

- Pre-Planning
- Use multiple assessment techniques
 - Surveys
 - Division or Installation EO Office
 - Focus groups
 - Sensing sessions
 - Statistical reports of related data
 - Interviews
 - Defense Equal Opportunity Management Institute (DEOMI)
 - Army Research Institute (ARI)



Staffing

- Program Managers (PM)
 - LTC - at Division and above
- Equal Opportunity Advisors (EOA)
 - SGM - Corps and above
 - MSG - Division/Installation and above
 - SFC - Brigade Level and above
- Equal Opportunity Representative (EOR)
 - Battalion Level or equivalent and below
 - SGT (P) through 1LT

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Special and Ethnic Observances

- Congressional Resolution
- Presidential Proclamation
- Cultural awareness



Review: EO Building Blocks

Seven building blocks for creating and sustaining effective units include:

1. Leader Commitment
2. Training
3. Complaint Process
4. Army's Initiative and EO Action Plans
5. Feedback Mechanisms
6. Staffing
7. Ethnic and Special Observances



All Commanders' Responsibilities

- Responsibilities vary with level of command
- All leaders:
 - Assist command in achieving primary EO goals
 - Foster positive unit climate
 - Support and enforce EO Policy
 - Role model to others
 - Treat all EO/Sexual Harassment complaints seriously



Fostering Positive Unit Climate

Indicators:

- Complaints are often resolved informally
- Soldiers routinely discuss concerns with immediate chain of command
- Consistent pattern of complaints



Signs of Unhealthy Unit Climate

Observable:

- Soldiers lack confidence in complaint process
- Sexual or racial jokes prevalent
- Poor personal appearance
- Poor military courtesy
- Abusive words and offensive symbols prevalent



Signs of Unhealthy Unit Climate

Observable:

- Increase in numbers of EO complaints
- Increased AWOLs
- Claims of unfairness in promotions
- Frequent fights
- Increase in requests for transfer
- Low morale



Company Commander's Responsibilities

- Conduct Unit Climate Assessment within 90 days (180 days for USAR units) of assuming command; annually thereafter
- Publish and post separate command policy statements for EO; POSH; complaint procedures
- Enforce EO and POSH Policies
- Support EO/HR training
- Appoint EORs



Installation Commander Responsibilities

- Serves as Installation EO Advisor
- Monitor installation EO climate
- Maintain EO assistance lines
- Facilitate EO Representative training



MACOM Commander Responsibilities

- Create EO Action Plans
- Monitor execution of the EO Program
 - Submit Quarterly Narrative and Statistical Report (QNSR)
 - Apply analysis of unit data to EO Action Plans
- Ensure EOAs deploy with assigned units
- Ensure EORs are trained and deployable for units below brigade level
- Provide resources (personnel, funding)



PM/Sr. Enlisted EOA Responsibilities

- Full-time, brigade level or higher
- Cultural change agent
- Liaison with Brigade EOAs and EORs
- Monitor compliance with all DOD policies and directives
- Alert commander to human readiness concerns
- Appellate authority action office for EO complaints



EOA Responsibilities

Assist Commanders by:

- Fostering positive climate
- Data collection and interpretation
- Receiving and assisting in processing complaints of unlawful discrimination and sexual harassment
- Understanding/interpreting DOD and Army EO Policies
- Evaluate training effectiveness
- Conduct Staff Assistance Visits (SAVs)



EOR Responsibilities

- Battalion level and below
- Additional duty
- Assists the commander in recognition of detractors from a healthy unit
- Prepares and assists the commander in the conduct of EO training
- Assists commander and project officer in preparing and conducting special/ethnic observances
- Do not receive or process formal complaints

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Review: EO Command Responsibilities

- Responsibilities vary with level of command
- All leaders personally responsible and accountable for fostering a positive unit climate



EO Complaint Process

- Supports healthy unit climate
- Same process for both EO and sexual harassment complaints
- Encourages reporting and resolution at the lowest level
- Dispenses actions appropriate to the nature of the offense



Alternative Agencies

- Chain of Command
- Alternative Agencies
 - Higher echelon of chain of command; IG; Chaplain; Provost Marshal; SJA; Medical agencies; Housing referral office
- Agencies' Response
 - Advise complainant of rights
 - Listen to complainant
 - Note reasons for complaint and why individual is not using chain of command



Types of Complaints

- Informal
 - Not written, not reported to higher headquarters
- Formal
 - Must be submitted in writing within 60 days of the alleged offense (DA Form 7279)
 - **Requires** chain of command intervention
 - Specific timelines for processing
 - Must follow a formal process



Formal Complaint Process



Implications for All Parties

- **Complainant**

- Protection from reprisal, intimidation
- Fraudulent complaints subject to UCMJ

- **Accused**

- Zero tolerance for violations
- Administrative and legal punishments
- Possible legal actions for violations of UCMJ



Review: EO Complaint Process

- Commander responsibilities for formal complaints
- Complaints are submitted to the lowest level of command
- Informal (rather than formal) complaints are recommended whenever possible
- Formal complaints follow a defined process and timeline
- Determine appropriate sanctions



Army Policy on Sexual Assault

“Sexual assault is a criminal offense that has no place in the Army. It degrades mission readiness by devastating the Army’s ability to work effectively as a team.....It is incompatible with the Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws... The Army will treat all victims of sexual assault with dignity, fairness, and respect.”

AR 600-20, Paragraph 8-2

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Army Policy Applies...

- Both on and off post
- During duty and non-duty hours
- To working, living, and recreational environments
- 24 hours a day, seven days a week



Sexual Assault Defined

- **Sexual assault** - intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent; sexual assault can occur without regard to gender, spousal relationship, or age
- **Consent** shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a perpetrator uses force, threat of force, coercion, or when the victim is asleep, incapacitated, or unconscious



Types of Sexual Assault

- Rape
 - Physical force
 - Constructive force
 - Date/acquaintance (non-stranger)
 - Marital (***Family Advocacy Program**)
- Nonconsensual sodomy
- Indecent assault
- Attempts to commit these acts
- Carnal knowledge (***Family Advocacy Program**)



If you Are Sexually Assaulted

Report the incident to one of the following agencies:

- *Sexual Assault Response Coordinator (SARC)
- *Unit Victim Advocate (UVA)
- *Healthcare provider
- *Chaplain
- Chain of Command
- Military Police (MP)
- Criminal Investigation Command (CID)
- Army Community Services (ACS)
- Staff Judge Advocate (SJA)
- Local and State Police
- 911
- Army One Source (AOS)

***Also Restricted Reporting Option**

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Review: Sexual Assault Definition and Types

- Sexual Assault Policy (AR 600-20, Chap 8)
- Definition of sexual assault
- Types of sexual assault
- Reporting Agencies



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